

PATENT *II-4*

Case Docket No. KITO2.005APC

Date: December 15, 2005


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Shigeru NEMOTO  
App. No. : 10/523,654  
Filed : February 4, 2005  
For : MEDICINE LIQUID INJECTION  
DEVICE FOR INJECTING  
PLURAL KINDS OF MEDICINE LIQUID  
WITHOUT MISSING THEM  
Art Unit : 3761

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313, on

December 15, 2005

(Date)

  
Katsuhiro Arai, Reg. No. 43,315

U.S. PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS  
Initial Patent Examination's Filing Receipt Corrections  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

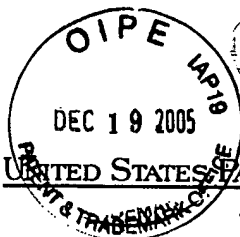
**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT AND NOTICE OF  
ACCEPTANCE OF APPLICATION**

Applicants noted errors in the PCT Application Number in the Official Filing Receipt and the Notice of Acceptance of Application for the above-identified patent application. The correct PCT Application Number is --PCT/JP03/09971--, not "PCT/JP02/09971". Please make these corrections in the Patent and Trademark Office and issue a corrected Official Filing Receipt and Notice of Acceptance of Application. As these errors appear to have been made at the U.S. Patent and Trademark Office, we believe no fees to be required. However, should any fees be necessary for this request, please charge them to our deposit Account No. 11-1410.

Enclosed in support of this Request are the following:

- (X) A Copy of the Official Filing Receipt and Notice of Acceptance of Application.
- (X) A Copy of the Declaration and Power of Attorney and a face sheet of the International application as published.
- (X) Return prepaid postcard.

  
Katsuhiro Arai  
Registration No. 43,315  
Attorney of Record  
Customer No. 20,995  
(949) 760-04042212977  
121505

KITO2.005APC MK  
DEA/KOA

UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/523,654	02/04/2005	3761	450	KITO2.005APC	10	8	3

CONFIRMATION NO. 1250

## FILING RECEIPT



\*OC000000016845416\*

 20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

Date Mailed: 08/25/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Shigeru Nemoto, Tokyo, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 20995.
**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP02/09971 08/06/2003

**Foreign Applications**

JAPAN 2002-231159 08/08/2002

Please correct to --JP03--.

**Projected Publication Date:** 12/01/2005**Non-Publication Request:** No**Early Publication Request:** No**\*\* SMALL ENTITY \*\*****Title**

Medicine liquid injection device for injecting plural kinds of medicine liquid without mixing them

**Preliminary Class**

604

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject

matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/523,654	FIRST NAMED APPLICANT Shigeru Nemoto	ATTY. DOCKET NO. KITO2.005APC
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20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

INTERNATIONAL APPLICATION NO. PCT/JP02/09971	
I.A. FILING DATE 08/06/2003	PRIORITY DATE 08/08/2002

CONFIRMATION NO. 1250

371 ACCEPTANCE LETTER



\*OC000000016845417\*

Date Mailed: 08/25/2005

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>02/04/2005</u>	<u>02/08/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 02/04/2005
- Copy of the International Search Report filed on 02/04/2005
- Preliminary Amendments filed on 02/04/2005
- Information Disclosure Statements filed on 02/04/2005
- Oath or Declaration filed on 02/04/2005
- U.S. Basic National Fees filed on 02/04/2005
- Assignment filed on 02/04/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

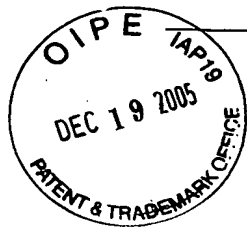
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ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

**DECLARATION AND POWER OF ATTORNEY-USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled a LIQUID INJECTOR FOR INJECTING A PLURALITY OF LIQUIDS INTO PATIENT WITHOUT MIXING, PCT Application No. PCT/JP2003/009971, filed in the Japanese Receiving Office on August 6, 2003; the documentation for entry into the U.S. national phase of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)****Priority  
Claimed**

No.: 2002-231159

Country: Japan

Date Filed: 08/08/02

Yes

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

-----  
Full name of first inventor: Shigeru NEMOTO

Inventor's signature

Date January 12, 2005

Residence: 27-20 Hongo, 2-chome, Bunkyo-ku, Tokyo 113-0033 Japan

Citizenship: Japan

Post Office Address: Same as above

Send Correspondence To: Katsuhiro Arai  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995

(12)特許協力条約に基づいて公開された国際出願

(19) 世界知的所有権機関  
国際事務局



(43) 国際公開日  
2004 年 2 月 19 日 (19.02.2004)

PCT

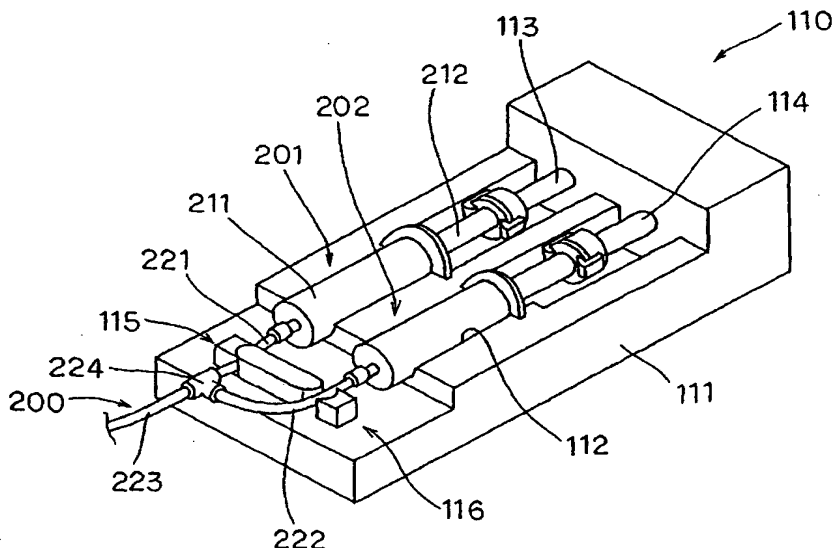
(10) 国際公開番号  
WO 2004/014465 A1

- (51) 国際特許分類<sup>7</sup>: A61M 5/142 (72) 発明者; および  
(21) 国際出願番号: PCT/JP2003/009971 (75) 発明者/出願人 (米国についてのみ): 根本 茂  
(22) 国際出願日: 2003 年 8 月 6 日 (06.08.2003) (NEMOTO, Shigeru) [JP/JP]; 〒113-0033 東京都文京区本郷2丁目27番20号株式会社根本杏林堂内  
(25) 国際出願の言語: 日本語 Tokyo (JP).  
(26) 国際公開の言語: 日本語 (74) 代理人: 宮崎 昭夫, 外 (MIYAZAKI, Teruo et al.); 〒107-0052 東京都港区赤坂1丁目9番20号第16興和ビル8階 Tokyo (JP).  
(30) 優先権データ: 特願2002-231159 2002 年 8 月 8 日 (08.08.2002) JP (81) 指定国 (国内): CN, US.  
(71) 出願人 (米国を除く全ての指定国について): 株式会社根本杏林堂 (NEMOTO KYORINDO CO., LTD.) [JP/JP]; 〒113-0033 東京都文京区本郷2丁目27番20号 Tokyo (JP). (84) 指定国 (広域): ヨーロッパ特許 (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR).

[続葉有]

(54) Title: MEDICINE LIQUID INJECTION DEVICE FOR INJECTING PLURAL KINDS OF MEDICINE LIQUID WITHOUT MIXING THEM

(54) 発明の名称: 被験者に複数の薬液を混合しないように注入する薬液注入装置



(57) Abstract: With a medicine liquid injection device (100), a subject and syringes (201, 202) are connected by a subject tube (223) and syringe tubes (221, 222). When medicine liquid is injected to the subject from one of the syringes (201, 202), one of the syringe tubes (221, 222) connected to the other syringe (201 or 202) is closed, so that the medicine liquid injected to the subject from the one of the syringes (201, 202) does not flow back to the other syringe (201 or 202). Therefore, plural kinds of medicine liquid can be injected to the subject without restriction and the liquid can be prevented from flowing back.

(57) 要約: 本発明は、被験者と複数のシリンジ 201, 202 とを被験者チューブ 223 と複数のシリンジチューブ 221, 222 とで連結するが、複数のシリンジ 201, 202 の 1 個から被験者に薬液を注入するときは、他のシリンジ 20

[続葉有]

WO 2004/014465 A1